

<p style="text-align: center;"><b>CITY OF NORWALK</b> <b>REPORT TO THE NORWALK PLANNING COMMISSION</b></p>
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<b>REQUEST:</b>	Public hearing and consideration of a request from to amend the setbacks, buffer requirements, and ownership requirement of Parcel 3 of the Orchard View Planned Unit Development
<b>MEETING DATE:</b>	April 25, 2016
<b>STAFF CONTACT:</b>	Luke Parris, AICP City Planner
<b>APPLICANT(S):</b>	Norwalk Land Co.
<b>LOCATION:</b>	Northeast on the intersection of Wright Road and Orchard Hills Drive.
<b>CURRENT USE:</b>	The site is currently vacant development ground.
<b>PROPOSED USE:</b>	<p>The proposal does not change the uses but requests the following:</p> <ul style="list-style-type: none"><li>• Setbacks from private roadways are identified on the attached Master Plan for Parcel 3.</li><li>• Change the required setback for the complex from 30' to 35' and to allow for a 15' buffer to overlap the 35' setback.</li><li>• The requirement for "owner occupied units" be deleted.</li></ul> <p>A full description of the proposal is included as Attachment A.</p>
<b>ZONING HISTORY:</b>	The site was zoned as Parcel 3 of the Orchard View PUD in 2003 (Ordinance 12-09).
<b>LAND USE PLAN:</b>	The future land use plan identifies the area as High Density Residential. This land use classification identifies multi-family dwellings as a typical use.
<b>SURROUNDING LAND USE PLAN AND ZONING:</b>	<p>Surrounding land use planned for the area is:</p> <ul style="list-style-type: none"><li>• North, East, and West – Medium Density Residential.</li><li>• South – Park/Recreation</li></ul>

Surrounding zoning for the area is:

- North, East, and West – R-1 Residential in the Orchard View and Orchard Hills PUD.
- South – unincorporated ground not zoned.

**FLOOD INFORMATION:** The proposed development is not located in a floodplain.

**MAJOR STREET PLAN/TRAFFIC:** The request to amend the Orchard View Planned Unit Development does not have an impact on the street network or the traffic in the area.

**DEVELOPMENT SECTOR ANALYSIS:** Parcel 3 is located on the west side of the proposed Orchard Hills Drive connection to Wright Road. Surrounding development ground is owned by Norwalk Land Co and each piece is in varying stages of the development process.

**STAFF ANALYSIS:** The future land use plan for the area is identified as High Density Residential. The PUD currently calls for R-3 zoning in this area. The proposed amendment does not request a change in zoning district. The proposal requests:

1. Setbacks from private roadways are identified on the attached Master Plan for Parcel 3.
2. Change the required setback for the complex from 30' to 35' and to allow for a 15' buffer to overlap the 35' setback.
3. The requirement for "owner occupied units" be deleted.

For request #1, the PUD currently states that buildings shall be setback 25' from any private roadway. This is mainly to provide for adequate driveway length to avoid a car parked in a driveway from hanging out into the roadway. When siting the buildings, the developer found that most buildings could be setback 25' from the street. However, at some intersections, it was not feasible to maintain the 25' separation on the side of a unit. To give assurances that the majority of buildings would maintain a 25' separation, the developer has requested that the setback from private roadways be identified on the attached site plan for the development. This would lock in the building layout and assures the City that the driveways for each unit will be of appropriate length.

For request #2, the PUD currently requires a 30' setback and a landscaped buffer. The City Subdivision Ordinance requires that a buffer be in addition to a required setback. The developer had proposed a 15' wide buffer with appropriate trees and shrubs. The combination of the 15' buffer and the 30' setback meant that the true building setback was 45' from the external lot lines of the complex. The developer requests that they increase the setback to 35' and allow the 15' landscaped buffer to overlap the setback. The developer's other option would be to construct a masonry buffer wall and adhere to the 30' setback. The developer and staff both agreed a buffer wall would not be the best option for a residential setting. Staff contacted other metropolitan area communities to learn if they allowed buffers to overlap. Below are the results:

- Ankeny – no current buffer requirement, negotiated with each development, when provided they are allowed to overlap
- Ames – allowed to overlap
- Des Moines – allowed to overlap
- Johnston – allowed to overlap
- Pleasant Hill – allowed to overlap
- Waukee – allowed to overlap
- West Des Moines – allowed to overlap except for double frontage lots

For request #3, the current PUD requires that only owner occupied lots be developed on Parcel 3. The developer requests that this requirement be deleted from the PUD as they would like the option to rent some of the units. Staff is concerned about the legality of the current PUD language. Additionally, standard R-3 zoning would not preclude a developer from renting units. Norwalk Land Co. currently owns the majority of the surrounding ground that they are developing into single family lots. This townhome project should be completed before any adjacent lots are developed. This would mean that future owners of any adjacent single-family homes would be aware of the development.

**STAFF  
RECOMMENDATION:**

Staff recommends approval of the amendment to Parcel 3 of the Orchard View Planned Unit Development. The proposed amendments are relatively minor and do not alter the intent of that the original PUD had for Parcel 3. The proposal further locks in the layout of the townhome development through the inclusion of the Master Plan, providing further assurances on the type of development to occur on Parcel 3.

**PLANNING AND  
ZONING ACTION:**

The Planning and Zoning Commission can consider several courses of action:

1. Deny the amendment request. Denying the amendment request would maintain the current zoning. The site could be developed as an R-3 townhome project per the current requirements. Note that a lack of motion is tantamount to a no vote that would recommend denial of the request and trigger a super majority vote at the City Council.
2. Approve the amendment request as proposed and attached. Approving the request would allow the site to be developed as shown on the attached Master Plan, with 35' setbacks, a 15' overlapping buffer, and the ability to rent units of the development.
3. Approve the amendment with conditions. The Commission may propose alterations to the amendment that could be agreeable to all parties involved.

## **Orchard View PUD Parcel 3 Amendment Request**

### **Existing PUD Language**

Townhouses - a townhouse, wherein the owner of the dwelling unit owns the lot beneath the dwelling unit, shall be permitted in Parcel 3 provided the lot for one dwelling has a minimum area of six thousand two hundred fifty (6,250) square feet, minimum width of fifty (50) feet and minimum side yard setback of zero (0) feet at the side lot line where the dwellings are attached. Public street frontage shall not be required for townhouse lots which are part of a complex which does not require a public street as part of the City's transportation network and is master planned with a private common roadway serving the townhouse lots and maintained by an association of townhouse homeowners. A private, common roadway serving a complex of townhouse dwellings shall not be greater than 660 feet in length for a cul-de-sac and 1,320 feet for a through street, which shall be intended to serve only dwellings within the complex. Individual townhouse lots shall not have minimum setback, lot width and area requirements, provided the tract of land encompassing the townhouse lots and common areas has public street frontage; a minimum width of one hundred (100) feet; a minimum area of forty thousand (40,000) square feet; maximum density of five (8) dwelling units per acre, minimum separation of fifteen (15) feet between residential buildings; minimum separation of twenty five (25) feet between a residential building and common private roadways; and a minimum building setback of thirty (30) feet from all boundaries of the complex, including public streets. The development of a townhouse complex shall require the approval of a site plan in accordance with the provisions of Chapter 17.80, Site Plans, and approval of Homeowners Association documents by the City which establishes provisions for maintenance of common areas.

### **SPECIFIC INFORMATION NOT IN TABLES**

PARCEL 3. This Parcel may be no greater than 10 acres MIL. Proposed multi -family structures along all the perimeters shall be no taller than two (2) stories. A 30' landscape buffer shall be provided in addition to the required setback on any portion bordering single family residential zoning. In addition, the development of this parcel may only include owner occupied units.

**Potential Amended Language:**

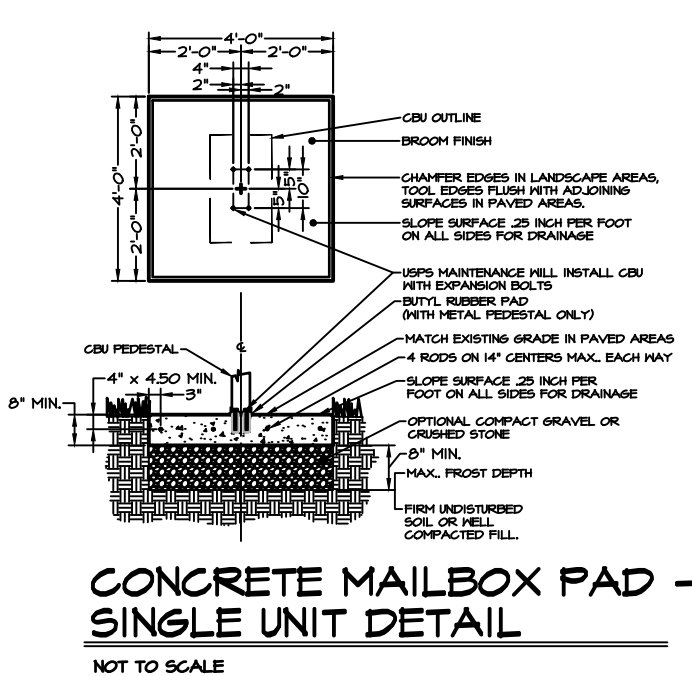
Townhouses - a townhouse, wherein the owner of the dwelling unit owns the lot beneath the dwelling unit, shall be permitted in Parcel 3 provided the lot for one dwelling has a minimum area of six thousand two hundred fifty (6,250) square feet, minimum width of fifty (50) feet and minimum side yard setback of zero (0) feet at the side lot line where the dwellings are attached. Public street frontage shall not be required for townhouse lots which are part of a complex which does not require a public street as part of the City's transportation network and is master planned with a private common roadway serving the townhouse lots and maintained by an association of townhouse homeowners. A private, common roadway serving a complex of townhouse dwellings shall not be greater than 660 feet in length for a cul-de-sac and 1,320 feet for a through street, which shall be intended to serve only dwellings within the complex. Individual townhouse lots shall not have minimum setback, lot width and area requirements, provided the tract of land encompassing the townhouse lots and common areas has public street frontage; a minimum width of one hundred (100) feet; a minimum area of forty thousand (40,000) square feet; maximum density of five (8) dwelling units per acre, minimum separation of fifteen (15) feet between residential buildings; ~~minimum separation of twenty five (25) feet between a residential building and common private roadways; and a minimum building setback of thirty (30) feet from all boundaries of the complex, including public streets.~~ The residential buildings shall maintain a separation from the common private roadway as identified on the attached Master Plan for Parcel 3 (Attachment "A"). The minimum building setback shall be 35' from all boundaries of the complex, including public streets. The development of a townhouse complex shall require the approval of a site plan in accordance with the provisions of Chapter 17.80, Site Plans, and approval of Homeowners Association documents by the City which establishes provisions for maintenance of common areas.

**SPECIFIC INFORMATION NOT IN TABLES**

PARCEL 3. This Parcel may be no greater than 10 acres MIL. Proposed multi-family structures along all the perimeters shall be no taller than two (2) stories. ~~A 30' landscape buffer shall be provided in addition to the required setback on any portion bordering single family residential zoning.~~ A 15' landscaped buffer shall be provided in accordance with the buffer regulations for a 15' Buffer 1 in section 17.50.030 of the Zoning Ordinance, including the 1.4 plant multiplier. The 15' landscaped buffer shall be allowed to overlap with the 35' minimum building setback. In addition, the development of this parcel may only include owner occupied units.

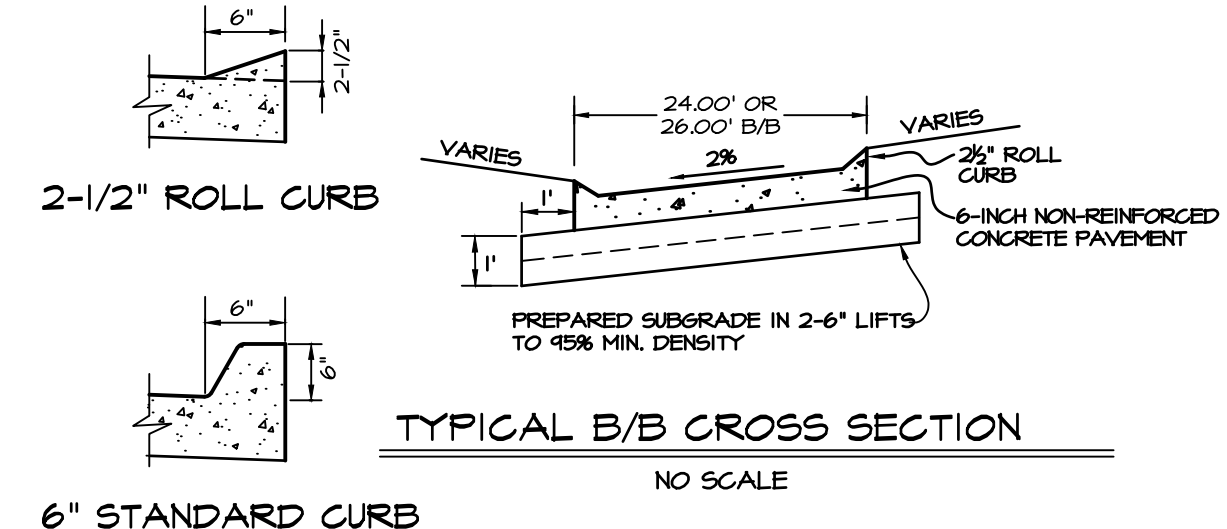


# Orchard View PUD Parcel 3 Norwalk Orchard View Townhomes Master Plan



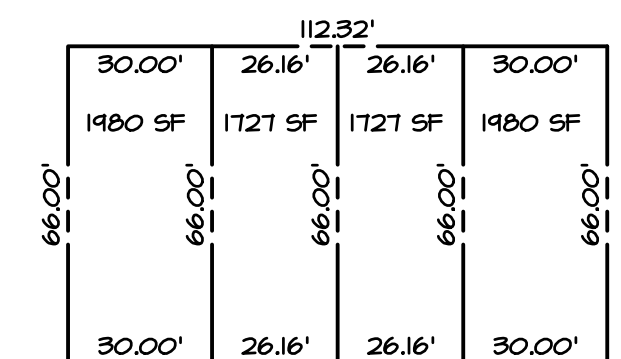
CONCRETE MAILBOX PAD - SINGLE UNIT DETAIL  
NOT TO SCALE

NOTES:  
1) CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 3000 PSI & 28 DAYS, CONTAIN 48 MIN. - 68 MAX. AIR ENTRAINMENT AND BE PLACED WITH A 3/32" - 4/30 SLUMP IN ACCORDANCE WITH ACI 301.  
2) REINFORCING STEEL RODS SHALL CONFORM TO ASTM A615, GRADE 60.  
3) USFS MAINTENANCE HILL USE EXPANSION BOLTS TO INSTALL CURB.

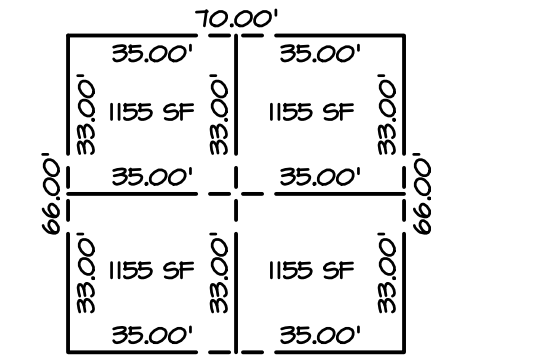


CURVE DATA					
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD
C1	26°14'45"	200.00'	91.91'	46.78'	91.10'
C2	10°04'46"	200.00'	35.18'	17.64'	35.14'
C3	16°14'58"	200.00'	56.72'	28.55'	56.53'
C4	41°19'16"	200.00'	144.24'	75.42'	141.13'
C5	19°31'05"	200.00'	68.48'	34.58'	68.15'
C6	21°42'11"	200.00'	75.16'	38.34'	75.31'
C7	13°32'10"	300.00'	70.87'	35.60'	70.71'
C8	80°20'45"	38.00'	53.29'	32.08'	44.03'

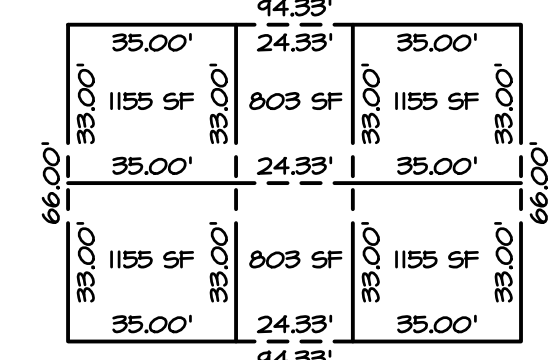
CURVE DATA					
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD
C9	65°57'34"	50.00'	51.56'	32.45'	54.43'
C10	30°01'14"	100.00'	52.40'	26.82'	51.80'
C11	24°46'44"	200.00'	103.45'	53.18'	102.71'
C12	19°44'26"	200.00'	68.91'	34.80'	68.57'
C13	10°02'23"	200.00'	35.05'	17.57'	35.00'
C14	10°44'38"	300.00'	56.64'	28.43'	56.61'
C15	21°27'58"	600.00'	224.74'	113.73'	223.48'
C16	29°14'31"	471.00'	240.38'	122.87'	237.78'



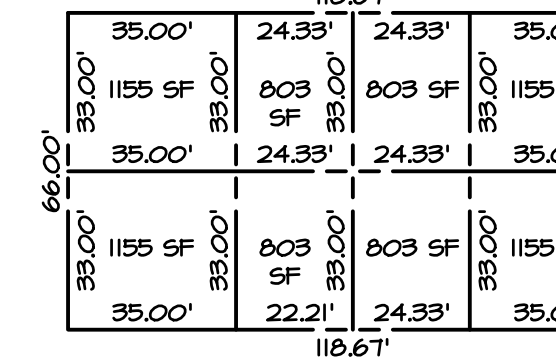
TYPICAL LOT DIMENSIONS  
4 UNIT TOWNHOME



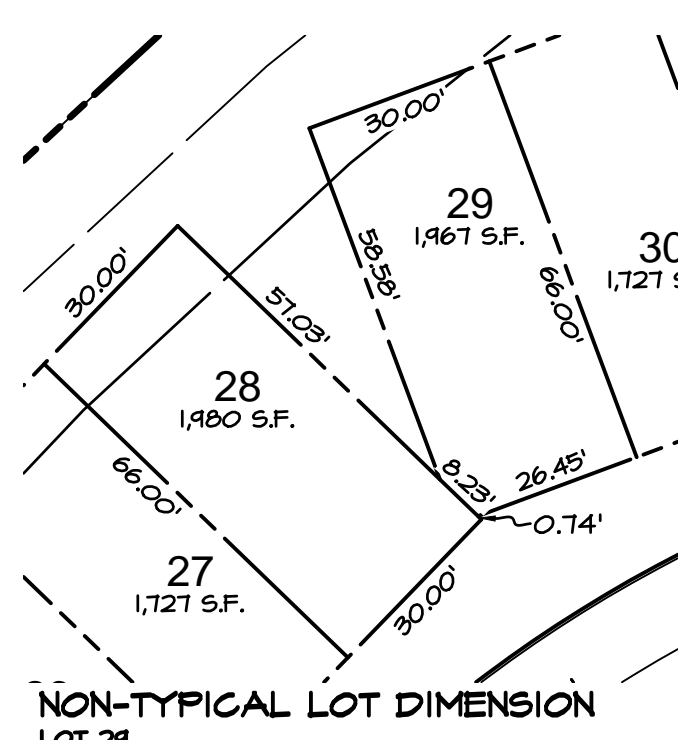
TYPICAL LOT DIMENSIONS  
4 UNIT CONDOMINIUM



TYPICAL LOT DIMENSIONS  
6 UNIT CONDOMINIUM

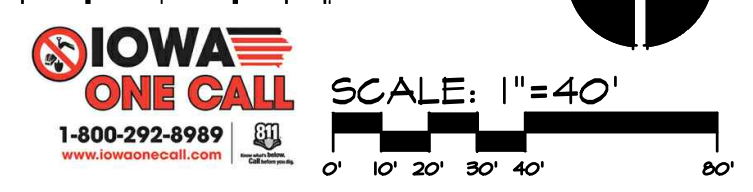


TYPICAL LOT DIMENSIONS  
8 UNIT CONDOMINIUM



NON-TYPICAL LOT DIMENSION  
LOT 24

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	543°24'13"W	71.91'
L2	543°24'13"W	55.71'
L3	543°24'13"W	16.14'
L4	523°14'22"E	202.38'
L5	584°16'56"E	214.18'
L6	584°16'56"E	81.06'
L7	584°16'56"E	127.85'
L8	584°16'56"E	5.28'
L9	500°43'04"W	12.88'
L10	510°06'35"E	18.73'
L11	531°34'33"E	124.40'
L12	531°34'33"E	109.66'



Civil Engineering Consultants, Inc.

2400 86th Street, Unit 12, Des Moines, Iowa 50322  
515.276.4884 · Fax: 515.276.7084 · mail@cecinc.com

CEC

REVISIONS

DATE	REVISIONS	COMMENTS
09/21/2016	1	04/18/2016
09/21/2016	2	
09/21/2016	3	
09/21/2016	4	
09/21/2016	5	
09/21/2016	6	

DATE OF SURVEY: 09/15/2016  
DESIGNED BY: MPH  
DRAWN BY: CM

NORWALK ORCHARD VIEW TOWNHOMES  
NORWALK, IA

DIMENSION PLAN

SHEET  
2  
OF  
5

E-7442